

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 10974 PERMIT 6489 LICENSE 4249

ORDER AMENDING THE LICENSE

**WHEREAS:**

1. On March 21, 1956 License 4249 was issued to G.D. Williamson, pursuant to Application 10974; and was filed with the county recorder of Sutter County.
2. Interest in License 4249 was subsequently assigned to Gordon A. Raub.
3. On January 28, 1983 licensee petitioned to change the point of diversion and 135 acre place of use to coincide with the 139 acre place of use authorized under licensed Application 10973.
4. On April 4, 1983 the petition for change was protested by the U.S. Bureau of Reclamation (USBR). On May 11, 1983 the protest was resolved by licensee agreeing that "the amended license is limited to the quantity, in acre-feet, that was required to irrigate the original 135 acres under License 4249." Such a limitation would provide for a maximum diversion of 1,461 acre-feet per year.
5. On November 29, 1984 an Order approving the petitioned changes was issued. The Order did not include a maximum annual diversion limitation.
6. License 4249 should be conditioned to reflect licensee's agreement with the USBR to limit the maximum diversion of water to 1,461 acre-feet per year.
7. The Board's continuing authority condition should be amended to conform to Section 780(a) of Title 23, California Code of Regulations.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. License 4249 shall be conditioned as follows:

"The total quantity of water diverted under License 4249, together with that diverted under License 3570 (Application 10973), shall not exceed 1,461 acre-feet per annum."

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2. The condition regarding the Board's continuing authority be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: **OCTOBER 29 1991**

*for* 

Edward C. Anton, Chief  
Division of Water Rights



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 10974

PERMIT 6489

LICENSE 4249

ORDER ALLOWING CHANGE IN POINT OF DIVERSION  
AND PLACE OF USE

WHEREAS:

1. License 4249 was issued to G. D. Williamson and was filed with the County Recorder of Sutter County on April 2, 1956.
2. License 4249 was subsequently assigned to Gordon A. Raub.
3. A petition for change in point of diversion, and place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The point of diversion under this license shall be as follows:

North 25°36' East, 4,165 feet from S $\frac{1}{4}$  corner of Section 10, T15N, R2E, MDB&M, being within SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 10.

2. The place of use under this license shall be as follows:

40 acres within the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 10, T15N, R2E, MDB&M  
40 acres within the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 10, T15N, R2E, MDB&M  
27 acres within the NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 10, T15N, R2E, MDB&M  
27 acres within the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 10, T15N, R2E, MDB&M  
5 acres within the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 15, T15N, R2E, MDB&M  
139 acres total

Dated: **NOVEMBER 29 1984**

*Raymond Walsh*  
Raymond Walsh, Chief  
Division of Water Rights



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

## License for Diversion and Use of Water

APPLICATION 10974

PERMIT 6489

LICENSE 4249

THIS IS TO CERTIFY, That G. D. Williamson Notice of Assignment (Over)

Box 512

Yuba City, California

*has made proof as of August 27, 1954,*  
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of  
Drainage Ditch of Reclamation District 2054 in Sutter County

tributary to East Intercepting Canal thence Wadsworth Canal and Sutter By-Pass

for the purpose of irrigation use

under Permit 6489 of the Department of Public Works and that said right to the use of said water has  
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works  
and the terms of the said permit; that the priority of the right herein confirmed dates from February 8, 1945;  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed three (3) cubic feet per  
second to be diverted from about March 1 to about November 1 of each year.

The equivalent of such continuous flow allowance for any thirty day period  
may be diverted in a shorter time if there be no interference with other vested  
rights.

The point of diversion of such water is located at NE corner of S1/2 of SE1/4 of Section 35,  
T16N, R2E, MDB&M, being within SE1/4 of SE1/4 of said Section 35.

A description of the lands or the place where such water is put to beneficial use is as follows:

26 acres within NW1/4 of NW1/4 of Section 1, T15N, R2E, MDB&M  
40 acres within NE1/4 of NE1/4 of Section 2, T15N, R2E, MDB&M  
40 acres within SE1/4 of SE1/4 of Section 35, T16N, R2E, MDB&M  
29 acres within SW1/4 of SE1/4 of Section 35, T16N, R2E, MDB&M  
135 acres total.

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance  
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or  
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

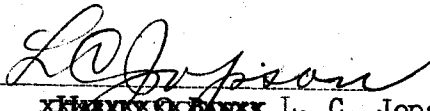
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.



Witness my hand and the seal of the Department of Public Works of the State of California, this 21st day of March, 1956

HARVEY O. BANKS,  
~~Assistant State Engineer~~ State Engineer

By   
~~Harvey O. Banks~~ L. C. Jopson  
Assistant State Engineer

11-31-60 <sup>partial</sup> RECEIVED NOTICE OF ASSIGNMENT TO Gerald F. Raub  
11-9-66 name of Gilbert D. Williamson dropped.  
2-17-83 asgd to <sup>Ronald</sup> Gerald A. Raub:

LICENSE 4249

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

LICENSE  
TO APPROPRIATE WATER

ISSUED TO G. D. Williamson

DATED MAR 21 1956

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